

Congress to meet the definition of congressional staff member in § 890.101 as of January 1, 2014, or in any subsequent calendar year. Designation as a congressional staff member shall be an annual designation made prior to November 2013 for the plan year effective January 1, 2014 and October of each year for subsequent years or at the time of hiring for individuals whose employment begins during the year. The designation shall be made for the duration of the year during which the staff member works for the Member of Congress beginning with the January 1st following the designation and continuing to December 31st of that year.

\* \* \* \* \*

(e) With the exception of those employees or groups of employees listed in paragraph (e)(1) of this section, the Office of Personnel Management makes the final determination of the applicability of this section to specific employees or groups of employees.

(1) Employees identified in paragraph (c)(9)(i) and (ii) of this section.

(2) [Reserved].

\* \* \* \* \*

■ 4. Amend § 890.201 to add a new paragraph (d) to read as follows:

**§ 890.201 Minimum standards for health benefit plans.**

(d) Nothing in this part shall limit or prevent a health insurance plan purchased through an appropriate SHOP as determined by the Director, pursuant to section 1312(d)(3)(D) of the Patient Protection and Affordable Care Act, Public Law 111–148, as amended by the Health Care and Education Reconciliation Act, Public Law 111–152 (the Affordable Care Act or the Act), by an employee otherwise covered by 5 U.S.C. 8901(1)(B) and (C) from being considered a “health benefit plan under this chapter” for purposes of 5 U.S.C. 8905(b) and 5 U.S.C. 8906.

\* \* \* \* \*

■ 5. Amend § 890.303 by revising paragraph (b) as follows:

**§ 890.303 Continuation of enrollment.**

\* \* \* \* \*

(b) *Change of enrolled employees to certain excluded positions.* Employees and annuitants enrolled under this part who move, without a break in service or after a separation of 3 days or less, to an employment in which they are excluded by § 890.102(c), continue to be enrolled unless excluded by paragraphs (c)(4), (5), (6), (7), or (9) of § 890.102.

\* \* \* \* \*

■ 6. Amend § 890.304 by revising paragraph (a)(1)(iii) to read as follows.

**§ 890.304 Termination of enrollment.**

(a) \* \* \*

(1) \* \* \*

(iii) The last day of the pay period in which his or her employment status or the eligibility of his or her position changes so that he or she is excluded from enrollment.

\* \* \* \* \*

■ 7. Amend § 890.501 to add a new paragraph (h) to read as follows:

**§ 890.501 Government contributions.**

\* \* \* \* \*

(h) The Government contribution for an employee who enrolls in a health benefit plan offered through an appropriate SHOP as determined by the Director pursuant to section 1312(d)(3)(D) of the Patient Protection and Affordable Care Act, Public Law 111–148, as amended by the Health Care and Education Reconciliation Act, Public Law 111–152 (the Affordable Care Act or the Act) shall be calculated in the same manner as for other employees.

(2) Government contributions and employee withholdings for employees who enroll in a health benefit plan offered through an appropriate SHOP as determined by the Director, pursuant to section 1312(d)(3)(D) of the Patient Protection and Affordable Care Act, Public Law 111–148, as amended by the Health Care and Education Reconciliation Act, Public Law 111–152 (the Affordable Care Act or the Act) shall be accounted for pursuant to section 8909 of title 5 and such monies shall only be available for payment of premiums, and costs in accordance with section 8909(a)(2) of title 5.

[FR Doc. 2013–23565 Filed 9–30–13; 11:15 am]

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. FAA–2013–0352; Directorate Identifier 2012–SW–063–AD; Amendment 39–17598; AD 2013–19–16]

RIN 2120–AA64

**Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for Sikorsky Aircraft Corporation (Sikorsky) Model S–92A helicopters to require

modifying the No. 1 engine forward firewall center fire extinguisher discharge tube (No. 1 engine tube) and inspecting the outboard discharge tube to determine if it is correctly positioned. This AD was prompted by the discovery that the No. 1 engine tube installed on the helicopters is too long to ensure that a fire could be effectively extinguished in the helicopter. The actions are intended to ensure the No. 1 engine tube allows for complete coverage of an extinguishing agent in the No. 1 engine compartment area, ensure that a fire would be extinguished and prevent the loss of helicopter control.

**DATES:** This AD is effective November 6, 2013.

The Director of the Federal Register approved the incorporation by reference of certain documents listed in this AD as of November 6, 2013.

**ADDRESSES:** For service information identified in this AD, contact Sikorsky Aircraft Corporation, Attn: Manager, Commercial Technical Support, mailstop s581a, 6900 Main Street, Stratford, CT 06614; telephone (800) 562–4409; email [tslibrary@sikorsky.com](mailto:tslibrary@sikorsky.com); or at <http://www.sikorsky.com>. You may review a copy of the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

**Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov> or in person at the Docket Operations Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, any incorporated-by-reference service information, the economic evaluation, any comments received, and other information. The street address for the Docket Operations Office (phone: 800–647–5527) is U.S. Department of Transportation, Docket Operations Office, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** Michael Schwetz, Aviation Safety Engineer, Boston Aircraft Certification Office, Engine & Propeller Directorate, FAA, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (781) 238–7761; email [michael.schwetz@faa.gov](mailto:michael.schwetz@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Discussion**

On April 22, 2013, at 78 FR 23698, the **Federal Register** published our notice of

proposed rulemaking (NPRM), which proposed to amend 14 CFR part 39 by adding an AD that would apply to Sikorsky Model S-92A helicopters, serial numbers 920006 through 920169. The NPRM proposed to require modifying the No. 1 engine tube and inspecting the outboard discharge tube to determine if it is correctly positioned. The work required to modify the No. 1 engine tube may dislocate the outboard discharge tube, which directs fire extinguishing agent to a specific area of the engine compartment. The NPRM was prompted because an extinguishing test at a Sikorsky plant showed that a No. 1 engine tube with the incorrect length had been put into production. Because of the incorrect tube length, the fire-extinguishing system may not discharge the agent completely throughout the compartment in the event of a fire. The proposed requirements were intended to ensure the No. 1 engine tube allows for complete coverage of an extinguishing agent in the No. 1 engine compartment area, ensure that a fire is extinguished and prevent the loss of helicopter control.

#### Comments

We gave the public the opportunity to participate in developing this AD, but we received no comments on the NPRM (78 FR 23698, April 22, 2013).

#### FAA's Determination

We have reviewed the relevant information and determined that an unsafe condition exists and is likely to exist or develop on other products of these same type designs and that air safety and the public interest require adopting the AD requirements as proposed.

#### Related Service Information

Sikorsky has issued Alert Service Bulletin 92-26-004 (ASB), dated June 4, 2012, to modify the No. 1 engine tube within 120 days. The ASB specifies procedures to cut two inches off the tube's discharge end, as well as how to inspect and reposition, if necessary, the outboard discharge tube.

#### Costs of Compliance

We estimate that this AD will affect 24 U.S. registered helicopters and that labor costs average \$85 per work-hour. Based on these estimates, we expect the following costs:

- Modifying the No. 1 engine tube takes 2 work-hours for a labor cost of \$170 per helicopter. No parts are needed, so the cost for the U.S. fleet totals \$4,080.

- Inspecting the outboard discharge tube and ensuring that it is in the required position takes about 1 work-hour for a total labor cost of \$85 per helicopter. No parts are needed for a total U.S. fleet cost of \$2,040.

#### Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

#### Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866;
- (2) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
- (3) Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction; and
- (4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared an economic evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator,

the FAA amends 14 CFR part 39 as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**2013-19-16 Sikorsky Aircraft Corporation Helicopters:** Amendment 39-17598; Docket No. FAA-2013-0352; Directorate Identifier 2012-SW-063-AD.

#### (a) Applicability

This AD applies to Sikorsky Aircraft Corporation (Sikorsky) Model S-92A helicopters, serial numbers 920006 through 920169, certificated in any category.

#### (b) Unsafe Condition

This AD defines the unsafe condition as failure of the No. 1 engine forward firewall center fire extinguisher discharge tube to discharge an extinguishing agent for complete coverage of the No. 1 engine compartment area. This condition could result in a fire not being extinguished and subsequent loss of helicopter control.

#### (c) Effective Date

This AD becomes effective November 6, 2013.

#### (d) Compliance

You are responsible for performing each action required by this AD within the specified compliance time unless it has already been accomplished prior to that time.

#### (e) Required Actions

Within 120 days:

- (1) Modify the No. 1 engine forward firewall center discharge tube in accordance with the Accomplishment Instructions, Paragraph B, of Sikorsky Alert Service Bulletin 92-26-004, dated June 4, 2012 (ASB).
- (2) Inspect the outboard discharge tube and determine if it is correctly positioned as depicted in Figure 3 of the ASB. If it is not correctly positioned, correct the positioning in accordance with the Accomplishment Instructions, Paragraph D, of the ASB.

#### (f) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Boston Aircraft Certification Office, FAA, may approve AMOCs for this AD. Send your proposal to: Michael Schwetz, Aviation Safety Engineer, Boston Aircraft Certification Office, Engine & Propeller Directorate, FAA, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (781) 238-7761; email [michael.schwetz@faa.gov](mailto:michael.schwetz@faa.gov).

(2) For operations conducted under a 14 CFR part 119 operating certificate or under 14 CFR part 91, subpart K, we suggest that you notify your principal inspector, or

lacking a principal inspector, the manager of the local flight standards district office or certificate holding district office before operating any aircraft complying with this AD through an AMOC.

**(g) Subject**

Joint Aircraft Service Component (JASC) Code: 2620, Extinguishing System.

**(h) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Sikorsky Alert Service Bulletin 92-26-004, dated June 4, 2012.

(ii) Reserved.

(3) For Sikorsky service information identified in this AD, contact Sikorsky Aircraft Corporation, Attn: Manager, Commercial Technical Support, mailstop s581a, 6900 Main Street, Stratford, CT 06614; telephone (800) 562-4409; email [tsslibrary@sikorsky.com](mailto:tsslibrary@sikorsky.com); or at <http://www.sikorsky.com>.

(4) You may view this service information at FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. For information on the availability of this material at the FAA, call (817) 222-5110.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Fort Worth, Texas, on September 17, 2013.

**Gwendolynne O'Connell,**

*Acting Directorate Manager, Rotorcraft Directorate, Aircraft Certification Service.*

[FR Doc. 2013-23439 Filed 10-1-13; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. FAA-2010-0562; Directorate Identifier 2009-NE-29-AD; Amendment 39-17603; AD 2013-19-21]

**RIN 2120-AA64**

**Airworthiness Directives; Rolls-Royce plc Turbofan Engines**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** We are superseding airworthiness directive (AD) AD 2012-04-13, for all Rolls-Royce plc (RR) model RB211 Trent 553-61, 553A2-61,

556-61, 556A2-61, 556B-61, 556B2-61, 560-61, and 560A2-61; and RB211 Trent 768-60, 772-60, and 772B-60; and RB211-Trent 875-17, 877-17, 884-17, 884B-17, 892-17, 892B-17, and 895-17; and RB211-524G2-T-19, -524G3-T-19, -524H-T-36, and -524H2-T-19 turbofan engines that have a high-pressure (HP) compressor stage 1 to 4 rotor disc installed, with a certain part number (P/N) installed. AD 2012-04-13 required repetitive inspections of the axial dovetail slots and follow-on corrective action depending on findings. This new AD expands the population of affected parts. This AD also changes, for the purposes of this AD, the definition of "engine shop visit." This AD was prompted by reports of additional affected HP compressor rotor discs that require the same action. We are issuing this AD to detect cracks in the HP compressor stage 1 and 2 disc posts, which could result in failure of the disc post and HP compressor blades, damage to the engine, and damage to the airplane.

**DATES:** This AD is effective November 6, 2013.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 6, 2013.

**ADDRESSES:** The Docket Operations office is located at Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

For service information identified in this AD, contact Rolls-Royce plc, Corporate Communications, P.O. Box 31, Derby, England, DE248BJ; phone: 011-44-1332-242424; fax: 011-44-1332-245418; email: [http://www.rolls-royce.com/contact/civil\\_team.jsp](http://www.rolls-royce.com/contact/civil_team.jsp). You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call 781-238-7125.

**Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the mandatory continuing airworthiness information (MCAI), the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800-647-5527) is

provided in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:**

Frederick Zink, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: 781-238-7779; fax: 781-238-7199; email: [frederick.zink@faa.gov](mailto:frederick.zink@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Discussion**

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2012-04-13, Amendment 39-16969 (77 FR 13483, March 7, 2012), ("AD 2012-04-13"). AD 2012-04-13 applied to the specified products. The NPRM published in the **Federal Register** on May 14, 2013 (78 FR 28161). The NPRM proposed to continue to require repetitive inspections of the axial dovetail slots and follow-on corrective action depending on findings. The NPRM also proposed to expand the population of affected parts, and to change, for the purposes of this AD, the definition of "engine shop visit."

**Comments**

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the proposal and the FAA's response to each comment.

**Support for the Proposed AD**

The Boeing Company supports the NPRM (78 FR 28161, May 14, 2013) as written.

We made no change to this AD.

**Request To Revise Definition of Engine Shop Visit**

American Airlines (AAL) and RR requested that we change the definition of engine shop visit. The commenters noted that the definition of engine shop visit in the NPRM (78 FR 28161, May 14, 2013) differs from that in RR Alert Non-Modification Service Bulletin No. RB.211-72-AF964, Revision 3, dated January 11, 2013. AAL also indicated that the definition of engine shop visit in the NPRM, if adopted, would dramatically increase turn time and costs and affect availability of spare engines.

We agree. We revised this AD by changing the definition of engine shop visit to read: "For the purpose of this AD, an "engine shop visit" is whenever the HP compressor rotor is accessible and the compressor blades have been removed."